MERCHANT & GOULD P.C.

United States Patent Application

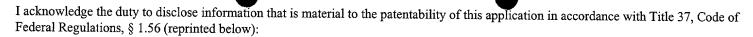
COMBINED DECLARATION AND POWER OF ATTORNEY

A below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my

manne, mai	That					
are named be	low) of the subject ma	riginal, first and sole inventor atter which is claimed and for ON OF GAS INTO MOLTEN	which a patent is sough	ted below) or a	a joint inventor (if plural invention entitled: METHOD AND	itors
a. ☐ is attaction is application)		as application serial no. 09/94 in international no. filed	45835 and was amended and as amended on		plicable) (in the case of a PCT hich I have reviewed and for v	
I hereby state any amendm	that I have reviewed a ent referred to above.	and understand the contents of	the above-identified sp	ecification, in	cluding the claims, as amende	d by
that of the ap	plication on the basis of applications have been for	iled as follows:	1 application for patent	or inventor's c	ertificate having a filing date	ntor's pefore
3 2	FORE	IGN APPLICATION(S), IF ANY,	CLAIMING PRIORITY U	NDER 35 USC §	119	
COUNTRY		APPLICATION NUMBER	DATE OF FILING		DATE OF ISSUE	
Germany		100 43 279.4	(day, month, year)		(day, month, year)	_
ii ii	ALL EODEL		2 September 2000			
COUNTRY	ALL FURE	GN APPLICATION(S), IF ANY, F		ORITY APPLIC	ATION(S)	i
- COUNTRI		APPLICATION NUMBER	DATE OF FILING		DATE OF ISSUE	
			(day, month, year)		(day, month, year)	
manner provi	sofar as the subject ma ded by the first paragra	e 35, United States Code, § 12 tter of each of the claims of the uph of Title 35, United States (nis application is not dis Code, § 112. Lacknowle	sclosed in the pedge the duty i	prior United States application	in the
or PCT intern	le 37, Code of Federal ational filing date of the	kegulations, § 1.56(a) which is application.	occurred between the f	iling date of th	e prior application and the na	ional
or FC1 intern	ie 37, Code of Federal	DATE OF FILING			te prior application and the na	tional

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:
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U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)



§ 1.56 Duty to disclose information material to patentability.

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- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the prependerance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application:
 - (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.
- (e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.



I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

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I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Merchant & Gould P.C. to the contrary.

I understand that the execution of this document, and the grant of a power of attorney, does not in itself establish an attorney-client relationship between the undersigned and the law firm Merchant & Gould P.C., or any of its attorneys.

Please direct all correspondence in this case to Merchant & Gould P.C. at the address indicated below:

Merchant & Gould P.C. P.O. Box 2903 Minneapolis, MN 55402-0903



I bereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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